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June 26, 2020

By ECF

Honorable Gregory H. Woods
United States District Judge
United State District Court, SDNY
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 2260
New York, NY 10007

**Re: *Taylor, et al. v. NYC Health + Hospitals, et al.*, 19-CV-07086 (GHW)
Proposed Second Amended Order Approving Sending of Notice of Lawsuit
with Consent to Become Plaintiff Form and Questionnaire**

Dear Judge Woods:

Pursuant to Your Honor's Individual Rules of Practice in Civil Cases, the parties jointly submit this letter concerning the Proposed Second Amended Order filed on this date. This proposed order extends by 60 days the various deadlines of the Amended Order Approving Sending of Notice of Lawsuit with Consent to Become Plaintiff Form and Questionnaire dated March 30, 2020 (Dkt. No. 40) ("First Amended Order").

The First Amended Order required District Council 37, AFSCME, AFL-CIO ("DC 37") to mail a Notice of Lawsuit, a Consent to Become Plaintiff form, a Questionnaire, and a postage pre-paid return envelope (the "forms") within 90 days of the Order, i.e., by June 28, 2020. However, during this time, New York City, where DC 37's offices are located, was under "lockdown" due to the COVID-19 pandemic. This lockdown delayed DC 37's ability to commence the mailing due to the limitations imposed upon non-essential businesses and activities during this period.

Please note that notwithstanding the limitations imposed by the lockdown, DC 37 has been working with its delegates during this time to circulate the forms to potential plaintiffs and to collect executed forms. DC 37 will also begin its mailing of the forms the week of June 29,

2020 and estimates the size of the opt-in plaintiffs pool to be approximately 15,000 persons.

Given the delays imposed by the lockdown, and the size of the potential opt-in plaintiffs pool, the parties respectfully request to modify the deadlines in the First Amended Order as follows:

- Paragraph 3: amend “Within 90 days of the date of this Order” to read “By August 27, 2020. . .”
- Paragraph 4: amend “Within 105 days of the date of this Order” to read “By September 11, 2020. . .”
- Paragraph 5: amend “Within 120 days of the date of this Order” to read “By September 26, 2020. . .”
- Paragraph 6: amend “within 150 days from the date of this Order by mail or e-mail” to read “by mail postmarked on or before October 26, 2020, or by e-mail sent on or before October 26, 2020.”
- Paragraph 6: amend “is postmarked or e-mailed after 150 days from the date of this Order” to read “is postmarked or e-mailed after October 26, 2020 . . .”
- Paragraph 8: amend “within thirty days of the end of the notice period” to read “by November 30, 2020.” (Note this extension is an additional 65 days given the Thanksgiving holiday.)

The Proposed Second Amended Order makes these adjustments, and revises paragraph 4 (“How to Join the Lawsuit”) of the “Notice of Lawsuit Against NYC Health + Hospitals” to reflect the October 26, 2020 deadline for forms to be postmarked or electronically sent.

Thank you for your consideration of the Proposed Second Amended Order. Please do not hesitate to contact the parties’ counsels should you have any questions.

Respectfully submitted,

/s/ Daniel Doeschner
Daniel Doeschner

cc: Counsel of Record (by ECF)